



## KENTUCKY BOARD OF EMERGENCY MEDICAL SERVICES

COMMONWEALTH OF KENTUCKY  
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Honorable Anthony D. Stratton  
Board Chair

Brian K. Bishop  
Executive Director

### Minutes for Kentucky Board of Emergency Medical Services Regular meeting of March 6, 2003 Anderson County Community Center 1:00 P.M.

Chairman Stratton called the meeting to order at 1:10 p.m.

Chairman Stratton asked the recording Secretary, Darby McDonald to call roll.

Dr. Eric Bentley – Present  
Shawn Bixler – Present  
John Blumenstock – Present  
Lee Brown – Present  
Greg Brown – Absent  
Jimmy Cornelison - Present  
Bob Dixon – Present  
Mayor Dodd Dixon - Absent  
Dr. Mary Fallat - Present

David Gray – Present  
Mary Guidugli – Present  
Julie Johnson – Present  
Jamey Locke – Present  
Bill Martin – Present  
Judge Anthony Stratton – Present  
Mike Swift – Present  
Dr. Jane Wiczkowski - Present

Chairman Stratton called for determination of quorum. The quorum was met with 15 present.

#### **Approval of Minutes:**

David Gray made a motion to approve the December 10, 2002 minutes with the correction on page four (4); paragraph one (1), the last line should read as follows: Mr. Bishop reported that the two comments have been reviewed and placed in the regulations. Seconded by Bob Dixon, motion passed with a vote 13-0, Lee Brown and Jamey Locke recused from voting.

#### **Budget Report:**

Chairman Stratton called on Mr. Ashley Davis to report on the Budget. Mr. Davis reported on the financial analysis for 0100 and quarterly allotments as of February 28, 2003.

Jamey Locke made a motion to accept the Budget Report presented by Ashley Davis. Seconded by Jimmy Cornelison. Motion passed unanimously.



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**Public Comment:**

Dennis Walls of Tennessee – Mr. Walls informed the Board of current events taking place in Washington with regard to problems with Medicare and EMS. Mr. Walls invites the Kentucky Ambulance Association to work together with a coalition that has been developed to review and obtain funds from a federal grant established for Medicare funds for ambulance providers in the United States. Mr. Walls estimates Kentucky's share would be \$10.2 million dollars based on 1998 Medicare reimbursements. Mr. Walls expressed that we all must work together and lobby Washington. Further he expressed that getting county governments to pass a resolution to send to Congress informing them that the coalition, as well as Kentucky, wants equitable reimbursement from Medicare. Mr. Walls referenced HB 4954 as the bill in question.

Jerry McGraw - A concerned citizen of the Commonwealth spoke concerning KBEMS proposed regulations and asked that the Board reconsider passing the regulations for the purpose of public comment and to reconsider KBEMS need for a disciplinary regulation.

EMT-I Program - Charlie O'Neal conducted a survey for the need of an EMT-I Program around the state. The results of this survey are: 942 full time employed paramedics, 542 are part time workers, 578 work for one service, 741 work for two services, 180 work for three services, 34 work for four or more services and 42 serving only in administrative roles. There were 135 full time openings and 182 part time openings. In regard to difficulty in recruiting paramedics 11 services have no problem, 9 have a minor problem, 52 have moderate problems and 84 have severe problems in recruiting paramedics.

Judge Stratton asked that the previously formed task force on EMT-I work together on some type of recommendation and address this issue at the next meeting of the Board.

**New Business:**Grant Fund Monies:

Executive Director, Brian Bishop spoke with Lt. David Wilkinson of the KY Department of Corrections regarding his grant application. Mr. Bishop informed Lt. Wilkinson that due to a change in the law, Lt. Wilkinson will have to contact his fiscal court and the surrounding areas they service to work out some type of funding mechanism.

Judge Stratton made a motion to extend the scheduled deadline for receiving grant applications from February 21, 2003 until the 28 of February, based upon severe weather conditions throughout the state with some services experiencing flooding and no electric services. Seconded by David Gray, motion passed with a vote 13-0, Bob Dixon recused from voting.

David Gray made a motion to transfer the remaining emergency fund monies totaling \$85,000 to the block grant fund, seconded by Bill Martin. Motion passed unanimously.

Bill Martin made a motion to approve the proposed distribution of the ambulance grant monies and to have them divided by one hundred eleven (111); each service is to stipulate what these monies will be used for. Seconded by Shawn Bixler motion passed unanimously.

Dr. Bentley made a motion to approve the ambulance grant expense list of counties to receive award and to include Owsley and Johnson Counties to the list. Seconded by Lee Brown, motion passed unanimously.

### State Medical Advisor Report:

Chairman Stratton called on the State Medical Advisor, Dr. Daniel O'Brien for his report. Dr. O'Brien recommended Board approval of the following protocols: Regional Transport, Winchester Fire/EMS, Knox County EMS, Knott County Ambulance, Alcan Aluminum Ambulance Service, Mercy Regional EMS, Woodford County EMS, Frankfort Fire/EMS, Burlington Fire Protection District, with the exception of magnesium sulfate requirement, Monroe County Medical Center, Providence Fire/EMS, Bullitt County EMS, Daviess County Fire Department, Transcare, Dry Ridge Fire Department, Franklin-Simpson EMS, Paintsville Fire/Rescue EMS, Lexington Division of Fire and Emergency Services, Jessamine County EMS, Cabell-Huntington Hospital EMS and Morehead-Rowan Country EMS. Seconded by Bill Martin, motion passed unanimously.

Dr. Bentley made a motion to accept the following protocols as presented by the State Medical Advisor, Dr. O'Brien. Seconded by Dr. Fallat, motion passed unanimously.

### **Committee Reports:**

#### Medical Standards/ALS BLS Scope of Practice Committee Report:

#### Medical Directors:

Dr. Bentley made a motion to approve medical directors upon noted contingencies: Angel Wings, Dr. Ajaz Afal; Manatee Transfer Service, Dr. Kevin L. Flowers; Rural/Metro, Dr. Marc L. Holbrook, Hancock County Ambulance Service, Dr. David A. Dwyer; Daviess County Fire Department, Dr. Perry McLimore contingent upon completion of PALS by September 6, 2003; Cabell-Huntington Hospital EMS, Dr. H. David Hichman; Burlington Fire Protection District, Dr. John Smith; Jessamine County EMS, Dr. Cheryl A. McClain; Hopkinsville-Christian County, Dr. Tariq Sayyad contingent upon completion of PALS by September 6, 2003; Providence Fire/EMS, Dr. Scott Gaines; Madison County EMS, Dr. Samuel D. Fritz contingent upon completion of ATLS, ACLS and PALS by September 6, 2003. Seconded by Bill Martin, motion passed unanimously.

#### Waivers:

Dr. Bentley made a motion to approve an exception to the required regulation requirements from Vanderbilt University Medical Center for Dr. Jayant P. Shenai an exception from the required regulation to not be required to hold ATLS, ACLS and PALS certification. Seconded by David Gray, motion passed with a vote 11-2, Jimmy Cornelison and Judge Stratton Voting no.

Dr. Bentley made a motion to accept the waiver request extension to complete the ATLS course from Regional Transport for Dr. Naseem Rauf and Nelson County, Dr. Alan Smith, allowing both physician's until June 30, 2003 to complete and submit to KBEMS office the required certification, seconded by David Gray. Motion passed unanimously.

Dr. Bentley made a motion to accept the request from American Medical Response for an exception from licensing requirements relating to the decaling and lettering including exemption of having to have the name of the affiliated hospital on their vehicles, seconded by Dr. Wiczkowski. Motion passed unanimously.

Dr. Bentley made a motion to the exception requests from Vanderbilt University as follows:

- Exemption to the EMT driver with the qualification that the driver must complete a course in emergency vehicle operation;
- exemption to the Tennessee RN nurses to not be required to be licensed in Kentucky and;
- exemption to the supplies and equipment waiver with the exception of a monitor defibrillator.

Seconded by John Blumenstock, motion passed 14-1, Judge Stratton voting no.

Dr. Bentley made a motion to approve the exception request for equipment delectation from Daviess County other than the exception of a thermometer and infant blood pressure cuffs. Seconded by John Blumenstock, motion passed unanimously.

Dr. Bentley made a motion to accept William Palmer, Kimberly Ann Coomes and Victoria Murden McClure as EMS Instructors for the Ohio Valley EMS Association Educators, seconded by Shawn Bixler. Motion passed unanimously.

Dr. Bentley made a motion to accept the request from Mercy Regional EMS to implement the LMA Pilot Program with the understanding the service is to submit a six-month progress report at the Board meeting, second by Dr. Wiczowski, motion passed with a vote 14-0, Jamey Locke recused from voting.

#### EMS-C Committee Report:

Dr. Fallat addressed the Board with the issue regarding the hiring of a State Trauma System Manager. Charlotte O'Neal has agreed to serve in this position gratuitously.

David Gray made a motion to accept Dr. Fallat's recommendation to hire Charlotte O'Neal as State Trauma Manager, contingent upon the KBEMS office having on file a letter stating that no nepotism or law violation was created based on the fact that this is a voluntary status and that Mrs. O'Neal is aware of the fact that should this position become a salary position, Mrs. O'Neal would be unable to continue should the nepotism issue still exist. Seconded by Dr. Bentley, motion passed 14-0, Dr. Fallat recused from voting.

Dr. Fallat informed the Board that the Trauma EMS Stakeholders conference has been rescheduled; the new dates are June 25-26, 2003 in Louisville at the Hyatt. An organizational meeting will be held on Monday March 24, 2003 from 8:00 – 2:00.

Dr. Fallat informed the Board of the EMS-C grant and that Tom Taylor has been doing a commendable job in is teaching responsibility, although the demand for Tom's services is exceeding the time that he has to spend on teaching and he will need to restrict the number of teaching courses per month to four in order to continue his other duties.

Dr. Fallat spoke on Senate Bill 60 that was introduced by a parent who serves on the EMS-C committee. This bill allows individuals to have commemorative copies of their marriage license or birth certificates made. After the first 250 certificates are produced the proceeds of the commemorative copies will go to the EMS-C committee who will distribute these monies

to services who petition for educational opportunity or equipment. The EMS-C committee is very grateful to David Harover for his efforts to see this through complication.

### **Regulations Committee:**

Jamey Locke made a motion to accept the amended regulation document that has been presented to the Board members and submit this document to the Legislative Research Commission, seconded by Dr. Bentley. Motion passed with a vote 12-3, Lee Brown, Jimmy Cornelison and Mike Swift voting no.

### **Executive Director Report:**

Executive Director, Brian Bishop reported on the following issues:

Personnel - Keith Smith has been reactivated to the armed forces; KBEMS will make the necessary changes in our inspection team and reschedule Keith's service areas.

Gallatin County EMS had contacted the Executive Director, Brian Bishop and informed Mr. Bishop that their service director and medical director have both resigned and that they needed some direction from KBEMS. Mr. Bishop contacted KBEMS State Medical Advisor, Dr. O'Brien. Dr. O'Brien graciously agreed to serve as medical director for the weekend. Mr. Bishop has been in contact with the County Judge and Gallatin County has informed Mr. Bishop they have resolved the issues that resulted in this matter.

Executive Director, Brian Bishop and State Medical Advisor, Dr. O'Brien have discussed should this issue arise again KBEMS needs to develop and have a plan in place to ensure what KBEMS and the State Medical Advisor's responsibilities would consist of.

Mr. Bishop read a letter from Bell County stating that they would prefer to purchase two (2) used ambulances with low mileage instead of the original request to use the \$12,750 to purchase a new ambulance.

David Gray made a motion to approve the ambulance grant funds from Bell County to purchase two (2) used ambulances, seconded by Lee Brown. Motion passed unanimously.

Mr. Bishop received a letter from Joe Welsh of Life-Savers, Inc. to request his EMT-Instructor certification be reinstated. Mr. Welsh was certified as an EMT Instructor Trainer one (1) year ago and due to lost paper work Mr. Welsh lost his EMT certificate, EMT-Instructor and EMT-Instructor Trainer certificate.

Bob Dixon made a motion to approve Mr. Welsh's request to reinstate his certification. Seconded by Lee Brown, motion passed unanimously.

Mr. Bishop reported on the fiscal year end funds and that KBEMS may have approximately \$100,000 available. Mr. Bishop asked that the Board consider the purchase of educational equipment and data. There is also a need to furnish the field staff with the equipping and preparation necessary for the performance of future problems.

Bob Dixon made a motion to direct KBEMS staff to compile a report detailing the cost for data, educational equipment and field staff equipping and preparation to be presented at the May Board meeting. Seconded by Jimmy Cornelison, motion passed unanimously.

Dr. Bentley made a motion to begin utilization of the \$100,000 for data, educational equipment and for field staff equipping and preparation. Second by Jimmy Cornelson, motion passed unanimously.

Dr. Bentley made a motion to approve staff and field staff to attend an education course in Jackson, Mississippi travel not to exceed \$8,000. Seconded by Lee Brown, motion passed unanimously.

Dr. Fallat made a motion to accept Mr. Charles O'Neal's written recommendation in reference to the advisory opinion from Mr. Jay Reeves. Seconded by Lee Brown, motion passed unanimously.

### **Executive Session:**

#### Quality Assurance/Ethics:

Shawn Bixler made a motion to go into Executive Session for the purpose of disciplinary issues, pursuant to KRS 61.810 (1) (c) & (f). Seconded by David Gray, motion passed unanimously.

Dr. Bentley made a motion to come out of Executive Session. Seconded by John Blumenstock, motion passed unanimously. No action was taken during Executive Session.

Dr. Bentley made a motion to accept the recommendations read by the Boards Legal Counsel, Patricia Bausch.

2001-015

EMT Certificate No. 34019

Paramedic License No. 1545P

Motion to accept the Findings of Fact, Conclusions of Law and Recommended Order proposed Robert S. Jones of the Attorney General's Office, wherein certificate and license is revoked.

2002-034

EMT Certificate No. 26678

Paramedic License No. 2400P

Motion to accept agreed order. 5-year suspension \$500.00 fine to be paid on or before February 14, 2008

2002-042

EMT Certificate No. 42620

Motion to accept conciliation agreement for a restricted certification until December 31, 2003; with a fine in the amount \$500.00.

2002-063

EMT Certificate No. 45998

Paramedic License No. 2514P

Motion to accept conciliation agreement with 12 months probation.

2002-064

EMT Certificate No. 46773

Motion to accept conciliation agreement with five (5) year probation and a \$300.00 fine.

2002-062  
EMT Certification No. 33990  
Refer to 13B hearing

2001-057  
EMT No. 33012  
EMT No. 46212  
Refer to 13B hearing and authorize counsel to attempt settlement.

2001-061  
EMT No. 38195  
Paramedic License No. 1867P  
Refer to 13B hearing and authorize counsel to attempt settlement.

Seconded by Jimmy Cornelison, motion passed unanimously.

Adjournment